

United States District Court
For the
Western District of Wisconsin

THE ESTATE OF ASHLEY DIPIAZZA,
BY PERSONAL REPRESENTATIVE JOSEPH DIPIAZZA

Plaintiff,

Case No. 16cv060

v.

CITY OF MADISON,
and JUSTIN BAILEY, GARY PIHLAJA, and CAREY LEEREK
In their Individual Capacities,

Defendants.

**Plaintiff's Motion for Award Of
Attorneys' Fees and Costs**

The Plaintiff, by its attorneys, The Jeff Scott Olson Law Firm, S.C., by Jeff Scott Olson and Andrea J. Farrell, hereby moves for an award of attorneys' fees and expenses following the jury verdict and judgment. The Plaintiff prays the Court to award it actual reasonable attorneys' fees and costs to date in this matter, including out-of-pocket expenses, all covering legal services rendered by counsel on its behalf in this

case.¹

Filed with this Motion for an award of attorneys' fees, costs, and expenses and incorporated in the supporting brief by reference are the Affidavit of Andrea J. Farrell, the Declaration of Jeff Scott Olson, the Declaration of Sarah Furey Crandall, affidavits and declarations of local attorneys, and other documents. These affidavits and documents show the market rates for attorneys in the relevant community with experience comparable to the Plaintiff's attorneys and establish that the hourly rates the Plaintiff has employed in computing its attorneys fees are the actual current billing rates of Plaintiff's counsel when representing paying clients, and are within the range of market rates actually charged to paying clients by attorneys of similar skill, reputation and experience in the community.

In sum, the fees and expenses the Plaintiff prays the court to award as part of the Judgment are:

¹ Plaintiff's initial Motion employs cutoff dates of July 15, 2017, for fees and August 15, 2017, for expenses. It is anticipated that supplemental time and expense records will need to be submitted covering work in support of this fee application, and in opposition to Defense motions, done after that date.

Lodestar Tabulation

ISO 367.8 x \$625 = \$229,875.00

$$\text{AJF} \quad 1648.7 \quad \times \quad \$415 \quad = \quad \$684,210.50$$
$$\text{SFC} \quad 395.4 \quad \times \quad \$425 \quad = \quad \$168,045.00$$

Paralegal & law clerk	206.4	x	\$170	=	\$35,088.00
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Total fees: \$1,117,218.50

Expenses: \$30,631.66

Total Lodestar Fees and Expenses: \$1,147,850.16

WHEREFORE, the Plaintiff respectfully requests that this motion be granted and that the Court enter an order awarding the Plaintiff the sum of \$1,147,850.16 in actual, reasonable attorneys' fees and costs.

Dated this Tuesday, August 29, 2017.

Respectfully submitted,

Estate of Ashley DiPiazza,

Plaintiff,

By

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/s/ Jeff Scott Olson

ATTORNEYS FOR PLAINTIFF

Certificate of Service

I, Jeff Scott Olson, hereby certify that on Tuesday, August 29, 2017, I electronically filed the foregoing with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Amanda Jane Kaiser, Kathryn A. Harrell, and Claude Covelli, and I hereby certify that I have mailed by United States Postal Service the document to the following non ECF participants: none.

/s/ Jeff Scott Olson